

REMARKS

In the Office Action, claims 1-5, 8-12, 15-19 and 22-25 were rejected. Claims 6, 7, 13, 14, 20, 21, 26 and 27 were objected to. By the present Response, claims 1, 8, 16-18, and 22-24 are amended. Claims 6-7, 13-14, 20-21 and 26-27 are cancelled. Upon entry of the amendments, claims 1-5, 8-12, 15-19, and 22-25 will be pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

Objections to Drawings

The Examiner objected to the drawings as failing to comply with 37 C.F.R. §1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 106, 302, 306, 308. No changes have been made to the drawings. However, the specification has been amended to overcome the Examiner's objections to the drawings.

Objections to Specification

The Examiner objected to the drawings as failing to comply with 37 C.F.R. §1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 106, 302, 306, 308. Applicants wish to bring to the attention of the Examiner that reference numeral 306 may be found in paragraph [0044] of the specification. Also, reference numeral 308 may be found in paragraph [0044] of the specification. Further, the specification has been amended to include reference numeral 106 in paragraph [0039]. In addition, the specification has been amended to include reference numeral 302 in paragraph [0041] of the specification in order to overcome the Examiner's objections to the drawings.

Further, the Examiner objected to paragraph [0034] of the specification due to an informality with regards to the figure number. Applicants submit that paragraph [0034] has been amended to correct the informality.

Objections to Claims

The Examiner objected to the claims 16-27 because claims 16-27 recited both the structure of an apparatus and method steps of using the apparatus. Applicants submit that claims 16-27 have been suitably amended to overcome the Examiner's objections.

Rejections Under 35 U.S.C. §102

Claims 1-5, 8-12, 15, 16-19 and 22-25 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0136491 A1 (hereinafter "Iatrou").

Claims 1, 8, 16 and 22 are independent. All of the recited claims are believed to be patentable as cited below.

Claim 1 and the Claims Depending Therefrom.

The Examiner indicated that claims 6 and 7 would be allowable if written in independent form. By the present response, independent claim 1 is amended to include the recitations of claims 6 and 7. Claim 1 and its dependent claims are therefore in condition for allowance.

Claim 8 and the Claims Depending Therefrom.

The Examiner indicated that claims 13 and 14 would be allowable if written in independent form. By the present response, independent claim 8 is amended to include recitations of claims 13 and 14. Therefore, claim 8 and its dependent claims are in condition for allowance.

Claim 16 and the Claims Depending Therefrom.

By the present response, independent claim 16 and dependent claims 17-18 are amended to more properly set forth subject matter in the statutory class introduced by the preamble. In particular, claims 16-19 are presented in the means plus function format. Also, the Examiner indicated that claims 20 and 21 would be allowable if written in

independent form. By the present response, independent claim 16 is amended to include the recitations of claims 20 and 21. Therefore, claim 16 and its dependent claims are in condition for allowance.

Claim 22 and the Claims Depending Therefrom.

By the present response, independent claim 22 and dependent claims 23-25 are amended to more properly set forth subject matter in the statutory class introduced by the preamble. In particular, claims 22-25 are presented in the means plus function format. Also, the Examiner indicated that claims 26 and 27 would be allowable if written in independent form. By the present response, independent claim 22 is amended to include the recitations of claims 26 and 27. Therefore, claim 22 and its dependent claims are in condition for allowance.

Double Patenting Rejections.

The Examiner provisionally rejected claims 1-5, 8-12, 15-19 and 22-25 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4, 12, 15-18 and 24 of copending Application No. 10/625,437 (Iatrou).

As previously noted, the Examiner rejected claims 1-5 under the doctrine of obviousness-type double patenting. However, the Examiner did not reject claims 6 and 7 under the doctrine of obviousness-type of double patenting. Applicants wish to bring to the attention of the Examiner that by the present response, independent claim 1 is amended to include the recitations of claims 6 and 7. Consequently, due to the inclusion of the subject matter of claims 6 and 7 in independent claim 1, Applicants respectfully submit that the issue of double patenting for claims 1-5 is obviated.

Similarly, the Examiner rejected claims 8-12 under the doctrine of obviousness-type double patenting. However, the Examiner did not reject claims 13 and 14 under the doctrine of obviousness-type of double patenting. Applicants wish to bring to the

attention of the Examiner that by the present response, independent claim 8 is amended to include the recitations of claims 13 and 14. Consequently, due to the inclusion of the subject matter of claims 13 and 14 in independent claim 8, Applicants respectfully submit that the issue of double patenting for claims 8-12 and 15 is obviated.

Also, the Examiner rejected claims 16-19 under the doctrine of obviousness-type double patenting. However, the Examiner did not reject claims 20 and 21 under the doctrine of obviousness-type of double patenting. Applicants wish to bring to the attention of the Examiner that by the present response, independent claim 16 is amended to include the recitations of claims 20 and 21. Consequently, due to the inclusion of the subject matter of claims 20 and 21 in independent claim 16, Applicants respectfully submit that the issue of double patenting for claims 16-19 is obviated.

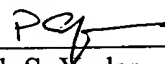
Additionally, the Examiner rejected claims 22-25 under the doctrine of obviousness-type double patenting. However, the Examiner did not reject claims 26 and 27 under the doctrine of obviousness-type of double patenting. Applicants wish to bring to the attention of the Examiner that by the present response, independent claim 22 is amended to include the recitations of claims 26 and 27. Consequently, due to the inclusion of the subject matter of claims 26 and 27 in independent claim 22, Applicants respectfully submit that the issue of double patenting for claims 22-25 is obviated.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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